

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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IN RE METHYL TERTIARY BUTYL ETHER : Master File No. 1:00-1898
PRODUCTS LIABILITY LITIGATION : MDL 1358 (VSB)
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This Document Relates To:

*Orange County Water District v. Unocal
Corporation, et al.,
Case No. 04 Civ. 4968 (VSB)*

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**STIPULATION AND ORDER REGARDING PLAINTIFF ORANGE COUNTY WATER
DISTRICT’S TIME TO OPPOSE VALERO DEFENDANTS’ JOINDER IN MOTION TO
DISMISS FOR LACK OF PROSECUTION**

TO THE COURT, TO ALL PARTIES, AND TO THEIR ATTORNEYS OF RECORD:

WHEREAS, defendants Ultramar, Inc., Valero Refining Company-California, and Valero Marketing and Supply Company (collectively “Valero Defendants”) filed a Joinder to Defendants Southern Counties Oil Co.’s Motion to Dismiss (“Motion to Dismiss”) for Lack of Prosecution (Case 1:00-cv-018898-VSB-DCF; Dkt Nos. 4700, 4702 and 4703; Case: 1:04-cv-04968-VSC-DCF Dkt Nos. 529, 528, and 530) in the above matter in the Southern District of New York on March 3, 2022;

WHEREAS, under the Federal Rules of Civil Procedure, Rule 6, plaintiff Orange County Water District’s (“OCWD”) time to file an opposition to the joinder to the motion to dismiss would be March 17, 2022;

WHEREAS, the parties have tentatively agreed to the potential resolution of the issues raised in the motion and the dismissal of OCWD's claims against the Valero Defendants pending the preparation of appropriate documentation and dismissal;

IT IS HEREBY STIPULATED AND AGREED by and between the Valero Defendants and OCWD that OCWD's time to file an opposition to the Motion to Dismiss is extended to March 23, 2022.

AGREED TO BY:

Date: March 10, 2022

DOWD BENNETT, LLP

By: s/ Erika M. Anderson

Erika M. Anderson

*Attorney for Defendants Ultramar, Inc.,
Valero Refining Company-California, and
Valero Marketing and Supply Company*

Date: March 10, 2022

MILLER & AXLINE

A Professional Corporation

By: s/ Tracey O'Reilly

Tracey O'Reilly

*Attorney for Plaintiff
Orange County Water District*

SO ORDERED:



Hon. Vernon S. Broderick

March 10, 2022

Dated

*In Re Methyl Tertiary Butyl Ether (MTBE) Products Liability Litigation:
Orange County Water District v. Unocal Corp., et al., Case No. 04 Civ. 4968*

PROOF OF SERVICE VIA LEXISNEXIS FILE AND SERVE

I am a citizen of the United States and an employee in the County of Sacramento. I am over the age of eighteen (18) years and not a party to this action. My business address is Miller & Axline, 1050 Fulton Avenue, Suite, 100, Sacramento, California 95825.

On the date executed below, I electronically served the document(s) via File & ServeXpress, described below, on the recipients designated on the Transaction Receipt located on the File & ServeXpress website:

**STIPULATION AND ORDER REGARDING PLAINTIFF ORANGE COUNTY WATER
DISTRICT'S TIME TO OPPOSE VALERO DEFENDANTS' JOINDER IN MOTION
TO DISMISS FOR LACK OF PROSECUTION**

I declare under penalty of perjury that true and correct copies of the above document(s) were served via File & ServeXpress on March 10, 2022.

**/s/ Kathy Herron
KATHY HERRON**